

REMARKS

Claims 1-78 have been examined. With this Amendment, Applicant adds claims 79-86.

Claims 1-86 are all the claims pending in the application.

1. Formalities:

Applicant thanks the Examiner for accepting the drawings but notes that submission date of the drawings is May 25, 2001, not August 4, 2002. As a formality, Applicant requests that the Examiner check the appropriate boxes on the front cover sheet in the next Office Action.

The Examiner has rejected the claim for foreign priority because the priority document was allegedly filed on March 7, 2000. Applicant has enclosed a copy of the front page of the Japanese Priority Document 2000-201548. Applicant submits that the date on the front cover of the priority document is in the format Year, Month, Day. Therefore, the priority document shows the date as July 3, 2000, not March 7, 2000.

2. Claim rejections under 35 U.S.C. § 102:

The Examiner has rejected claims 1-14, 16, 20, 21, 24, 25, 32, 37, 38, 43-51, 53-55, 57, 60, 61, 64, 65, 67, 72, 74, 76 and 78 are rejected under 35 U.S.C. § 102(b) as being anticipated by Mayle et al. (US 6,018,744) ["Mayle"]. Applicant traverses.

Claim 1 recites an image distributing system for an image having a target character that comprises an image collection unit that selects images according to character information obtained by a character information obtaining unit. One illustrative, non-limiting example of the above recitation is a target character that is a customer whose images are selected, by the image collecting unit, based on physical characteristics (character information) such as facial or other

body features. This allows the customer to save time by not having to sort through other images that do not have the customer's physical features.

Mayle teaches a system for the creation of an image display such as an electronic postcard. The system interacts with the user to create and configure the display. The user provides the image data to the system and optionally specifies a message and addressees for the image display. The system creates the display, comprising a mixture of image and textual data, and sends a notification including identification of the display to a specified addressee, for instance, the recipient of the postcard. The addressee can then receive the display from the system via identification information sent by the system. See Abstract.

Applicant submits that Mayle only discloses the creation of the image display. Mayle does not disclose or even remotely suggest at least the features of the character information obtaining unit or the image collecting unit of the claimed combination.

Because independent claims 43 and 78 recite features similar to claim 1, Applicant submits that these claims are patentable for at the reason given above for claim 1.

Because the remaining claims rejected under § 102 are dependent on either claim 1 or claim 43, Applicant submits that these claims are patentable at least by virtue of their respective dependencies.

3. Claim rejections under 35 U.S.C. § 103:

The following is a summary of the rejections under 35 U.S.C. § 103(a):

1. The Examiner has rejected claims 18, 19, 58 and 59 as being unpatentable over Mayle in view of Acosta et al. (US 6,166,729) ["Acosta"].
2. The Examiner has rejected claims 15, 17, 26, 22, 23, 27, 28, 33, 34, 36, 39, 41, 52, 56, 62, 63, 66, 68, 69, 71, 73 and 75 as being unpatentable over Mayle in view of Kuno (US 6, 567,121) ["Kuno"].
3. The Examiner has rejected claims 29-31, 35, 42, 70 and 77 as being unpatentable over Mayle in view of Acosta and further in view of Kuno.

Because these claims are dependent on either claim 1 or claim 43, and because neither Acosta nor Kuno (alone or in combination) cure the deficient teachings of Mayle with respect to claims 1 and 43, Applicant submits that these claims are patentable at least by virtue of their respective dependencies.

4. New Claims:

With this Amendment, Applicant adds eight new dependent claims. Applicant submits that these claims are patentable at least by virtue of the feature set forth therein.

5. Conclusion:

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

AMENDMENT UNDER 37 C.F.R. § 1.111
APPLICATION NO.: 09/864,456

Attorney Docket No.: Q64549

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Pursuant to 37 C.F.R. § 1.136, Applicant is filing a petition (with fee) for one month of extension time herewith, making this response due on or before March 5, 2004.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

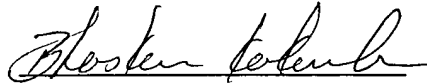
Respectfully submitted,

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER



Bhaskar Kakarla
Registration No. 54,627

Date: March 5, 2004

09/ 004,486

日 本 国 特 許 庁
PATENT OFFICE
JAPANESE GOVERNMENT

別紙添付の書類に記載されている事項は下記の出願書類に記載されて
いる事項と同一であることを証明する。

This is to certify that the annexed is a true copy of the following application as filed
in this Office.

出 願 年 月 日
Date of Application:

2000年 7月 3日

出 願 番 号
Application Number:

特願2000-201548

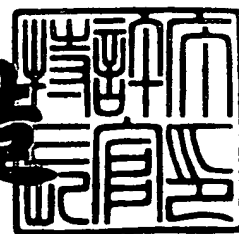
出 願 人
Applicant (s):

富士写真フイルム株式会社

2001年 3月16日

特 許 庁 長 官
Commissioner,
Patent Office

及 川 耕 造



出証番号 出証特2001-3018890